

## **Rule 7005-2**

### **FILING OF DISCOVERY MATERIAL**

**[Abrogated]**

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#### ***Notes of Advisory Committee***

##### ***2000 Amendment***

The Court's local rules may not conflict with or duplicate the Federal Rules of Bankruptcy Procedure. See Fed. R. Bankr. P. 9029(a)(1). This amendment deletes the provisions of this rule that prohibited the filing of discovery materials until they are used in a proceeding or matter. The deletion is required because the December 1, 2000, amendments to Fed. R.Civ.P. 5(d) provide that disclosures under Rule 26(a)(1) and (2) and discovery requests and responses under Rules 30, 31, 33, 34, and 36 must not be filed until they are used in the action. Disclosures under Rule 26(a)(3), however, are to be filed with the Court.

Pursuant to Fed. R. Bankr. P. 7005, Fed. R.Civ.P. 5 applies in adversary proceedings. Pursuant to Local Rule 9014-1, Fed. R.Civ.P. 5(a)-(d) applies in contested matters. Thus, disclosures and discovery materials in adversary proceedings and contested matters are to be filed -- or not filed -- as provided in Fed. R.Civ.P. 5(d).

This amendment is effective on December 1, 2000.

##### ***1997 Amendment***

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment is effective on April 15, 1997.

Paragraph (a) of this rule is derived from Local Rule 2.15(f). Paragraphs (b) and (c) of this rule were formerly paragraphs (g) and (h) of Local Rule 2.15. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

### ***1995 Amendment***

Paragraphs (g) and (h) are former paragraphs (d) and (e) without substantial change. These paragraphs and paragraph (f) continue the prohibition of filing discovery papers in the usual course. The technical change appearing in paragraph (g) is intended to clarify that deposition transcripts shall only be filed on order of the Court which may be obtained on motion.

These amendments were effective on February 15, 1995.